

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	4:98CR3047 & 4:06CR3087
)	
v.)	
)	
DUSTIN N. KROGMAN,)	MEMORANDUM
)	AND ORDER
Defendant.)	

The defendant has filed a motion (filing 86 in 98CR3047 and filing 33 in 06CR3087) to “release” unclaimed funds “deposited by defendant” in the sum of \$500. I have consulted the Clerk regarding the motion.

The Clerk advises that the money may be refunded, but it must be refunded to the party who is entitled to a refund as shown by the appearance and compliance bond. The appearance and compliance bond provided to me by the Clerk shows that “Doug Krogman, P.O. Box 42, Panama, NE 68419” is the party who is entitled to the refund. The Clerk also suggests that the United States Attorney should be advised of the motion and given an opportunity to respond. That suggestion is a good one.

In light of the foregoing,

IT IS ORDERED:

1. The Clerk shall send a copy of this memorandum and order to the United States Attorney or one of his assistants. The United States shall have until the close of business on Friday, April 18, 2008 to file an objection to the motion with a supporting brief. If no such submission is filed, I will presume the government has no objection.

2. Dustin Krogman is herewith advised that I have preliminarily determined that Doug Krogman, and not Dustin Krogman, is entitled to the refund. Dustin Krogman shall have until the close of business on Friday, April 18, 2008, to show cause why the refund should not be made to Doug Krogman.
3. The Clerk shall mail a copy of this memorandum and order to the last known address of Dustin Krogman.
4. My chambers shall call this matter to my attention on Monday, April 21, 2008.

DATED this 1st day of April, 2008.

BY THE COURT:

s/Richard G. Kopf
United States District Judge